

Name, Address, Phone, Fax, Email Address of Filer:

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Debtor: Devlyn J. Akau

Case No.: **11-00156**

Joint

Debtor:

Chapter **11**

APPLICATION TO EMPLOY PROFESSIONAL

[The professional's verification of disinterestedness must be attached. Attach supplemental statements about other items as necessary.]

Name of Professional: Diana Danmeyer, Esq.

Type of Professional: Attorney

To be employed by: ☐ Trustee ☒ Debtor in Possession ☐ Committee: _____

Briefly state need for employment and describe the services to be rendered:

This professional is needed to carry out the undersigned's duties related to the following:
General bankruptcy counsel, including but not limited to: advice and assistance in compliance with USTrustee requirements; advice regarding rights, remedies, claims of creditors and assets; conduct examinations; prepare reports, accounts, and pleadings; negotiation, formulation, confirmation and implementation of Ch.11 plan; appearances for Debtor and; to take other actions and perform other services as Debtor may require in this matter. Originally hired to investigate and conduct investigation and take legal actions concerning Debtor's primary residence foreclosure issues.

☐ If checked, employment is for specified special purpose only under 11 U.S.C. § 327(e).

Briefly state reason for selection:

Debtor initially retained atty for foreclosure action, in review of assets and liabilities, Debtor is comfortable with local attorney representation.

Terms and conditions of employment:

Initially provide investigation and counsel regarding foreclosure issues of primary residence and then provide representation of Debtor in actions within this bankruptcy matter, including adversarial proceedings. Hire and/or retain other professionals as required in this Bankruptcy matter and restructure plan.

The undersigned hereby applies for an order approving the employment of the above-named professional as described above. To the best of the applicant's knowledge: *[Check all that apply]*

- ☒ This professional does not hold or represent an interest adverse to the estate, and has no connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee, except to the extent described in any statement attached to this application.
- ☐ Employment is for a special purpose only; the attorney does not represent or hold any interest adverse to the debtor(s) or to the estate with respect to the matter on which the attorney is to be employed.
- ☐ Employment is by a committee; the professional does not represent any other entity having an adverse interest in connection with the case.

February 21, 2011

Date

/s/ Devlyn J. Akau

Applicant

VERIFIED STATEMENT BY PROFESSIONAL

[Attach this statement to the Application to Employ Professional. If filed separately, attach a cover sheet with case caption.]

The undersigned hereby declares under penalty of perjury: *[Check all that apply]*

- ☒ I have no connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee, except to the extent that I may be employed by a trustee in unrelated bankruptcy cases or proceedings.
- ☐ I am being employed for a special purpose only and do not represent or hold any interest adverse to the debtor(s) or to the estate with respect to the matter in which I am to be employed.
- ☐ I am being employed by a committee and do not represent any other entity having an adverse interest in connection with the case.
- ☒ The following disclosure is made regarding disinterestedness:
The Akau family and husband's family by marriage may be distantly related through marriages of other related persons, but unaware of any to applicant's best knowledge.

I do not hold any interest that is materially adverse to Debtor. I am not a creditor of the estate of the Debtor and are not owed funds by the debtor, except as applied for with this court. I have access to bankruptcy support in my law practice group.

I originally had a retainer agreement with Debtor and Daughter, Mikiala Sonognini Akau, related to their consistent interests in the real property on Plumeria Lane known as their primary residence. Ms. Mikiala Akau paid \$3000 for the foreclosure issue, Debtor paid \$5000 in nonrefundable retainer by obtaining a personal loan from her employer and Chapter 11 preparation fees of \$361 and filing fees of \$1039. This Bankruptcy is a continuation of the original matter. Any other or further terms of payment of adversarial or other proceedings within this matter are subject to approval of the court.

I will render services during this bankruptcy at regular hourly rates of \$350 per hour, or by additional retainer agreement, which may be subject to adjustment from time to time, upon approval from this court for compensation and reimbursement for fees incurred and costs advanced in conformity with 11 USC §330 and §331. I understand that any further compensation to be received is subject to approval by this court, upon appropriate application and hearing. I will file interim fee applications no more often than every 120 days unless amounts and circumstances require exception and as per the Bankruptcy Code.

My compensation will be based upon various factors including but not limited to, my customary hourly fees to clients paying at monthly intervals, the novelty or difficulty of the legal issues presented, and the results obtained. A Notice of Debtor's Application to Employ Professional will either be electronically served or served by mail on all interested parties as required.

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February 21, 2011

/s/ Diana Danmeyer

Date

Professional